



Edina Police Operations Manual

Policy Number
715.00

Subject:
PREDATORY OFFENDER REGISTRATION AND PUBLIC NOTIFICATION

Effective Date
06/01/1993

Revised Date
05/18/2020

Page 1 of 6

PURPOSE:

To ensure the Edina Police Department complies with the statutory requirements to provide for the registration of Predatory Offenders and to provide for community safety through notification relative to the release of certain offenders, while maintaining the legal rights of these offenders.

715.01 GENERAL STATEMENT OF POLICY

To register and monitor Predatory Offenders in accordance with Minnesota Statutes and to provide as much information as authorized by law to other law enforcement agencies, persons, entities and the public consistent with the requirements of public safety and the legal rights of the offenders.

715.02 STATUTORY REFERENCES

Minnesota Statute Section [243.166](#) - Registration of Predatory Offender
Minnesota Statute Section [243.167](#) - Registration Under Predatory offender Law
Minnesota Statute Section [244.052](#) - Community Notification
Minnesota Statute Section [244.053](#) - Community Notification
Minnesota Statute [Chapter 13](#) - Minnesota Government Data Practices Act

715.03 PREDATORY OFFENDER REGISTRATION

Subd. 1 Predatory Offenders are required by statute to register at the time of sentencing or juvenile court disposition or by the order of their assigned corrections agent or at time of release from their commitment facility.

Subd. 2 **Offenders From Out of State**

a) In rare occasions, offenders from out of state, who move into Edina, may be required to register if they have been convicted or adjudicated of a comparable offense in another state before moving to Minnesota.

b) Once an offender's need to register in accordance with Minnesota State Statute is confirmed, the detective assigned to Predatory Offenders will be responsible for:

- Completing a Predatory Offender Registration form for offenders presenting themselves to the Edina Police Department for registration.
- Obtaining a BCA fingerprint card and photograph of the offender.

- Creating a department record of the offender and distribution of pertinent documents.

Subd. 3 Change of Information

- a) Predatory Offenders are required to submit a Change of Information form to the law enforcement agency having primary jurisdiction over the location in which they reside.
- b) A Predatory Offender Change of Information form should be completed by the responding officer for all offenders presenting themselves to the Edina Police Department for registration of their change of information.
- c) All other copies shall be forwarded to the detective assigned. The detective is responsible for creating an offender file, updating an offender's current file and forwarding the information to the BCA.

Subd. 4 Maintenance of Predatory Offender Information

- a) All Predatory Offender Registration forms and Predatory Offender Change of Information forms received by the Edina Police Department shall be assigned case numbers, processed by the assigned detective and maintained on file with the Edina Police Department.
- b) The offender's name shall be maintained in the police department's record system indicating that the person is a registered Predatory Offender. The record shall be flagged to indicate that the information is private and/or confidential. A record will be maintained of the law enforcement agencies to which an original Predatory Offender Registration form or a Predatory Offender Change of Information form is transmitted in accordance with this policy and the date of that notification.
- c) The original Predatory Offender Registration form and a set of fingerprints or the original Predatory Offender Change of Information form will be submitted to the Bureau of Criminal Apprehension within two working days.

Subd. 5 The information contained on the Predatory Offender Registration form and the Predatory Offender Change of Information form is classified as Private and/or Confidential Data on individuals and may only be used for law enforcement purposes.

Subd. 6 Upon receiving notice that an offender registered with the Edina Police Department has moved out of the community, a notation shall be made in the offender's name record and any "hazard" file entry should be removed.

715.04 COMMUNITY NOTIFICATION

Subd. 1 A community notification plan shall be made for registered level II & III offenders reported to the Edina Police Department in accordance with Minnesota Statute Section [244.052](#) and [244.10](#).

a) When applicable, the community notification plan should include an offender fact sheet, containing the following information:

- The Minnesota state identification number.
- A method of contacting the Law Enforcement agency for further information.
- A statement of the offender's rights.
- The offender's name, date of birth and physical description.
- A recent photograph, if available.
- A statement of the offense for which the offender was convicted or other legal basis for the offender's confinement.
- The Department of Corrections assigned risk level.
- The address at which the offender intends to reside. In most circumstances, this should not include the specific street number of the residence.

b) The Edina Police Department shall disclose to the public any information regarding the offender contained in the report forwarded to the agency including any information regarding the general area of where the offender resides, expects to reside, is employed, or is regularly found, if the agency determines that disclosure of the information is relevant and necessary to protect the public and to counteract the offender's dangerousness. The extent of the information disclosed and the community to whom disclosure is made must relate to, and include all of the following:

- The level of danger posed by the offender.
- The offender's pattern of offending behavior.

- Subd. 2** In determining the establishments and organizations that will be given the fact sheet under this provision, the agency may consider the offender's prior history, offense characteristics, employment, recreational, social, and religious interests; and the characteristics of likely victims. The agency should consult with any other law enforcement agencies with primary jurisdiction over which the offender is likely to be encountered.
- a) The agency shall meet with community members including a public meeting, as defined by Minnesota Statute [Chapter 13D](#), in the area where the offender will reside or is likely to be found. If public meeting is determined not to be appropriate in a specific case, the reason the meeting was not held will be documented in the agency's case files.
 - b) The agency shall make reasonable efforts to notify members of the community through appropriate use of the public information resources, including the news media.
 - c) In conducting a community notification meeting, the agency will give due regard to and address the essential components of the community notification fact sheet created under this policy. The agency will consider and use as appropriate a variety of informational approaches.

Subd. 3 Guidelines for Community Notification Plan

- a) Level I (low risk of re-offending)

Information may be distributed to other Law Enforcement Agencies, victims or witnesses to the offense for which the offender was convicted, and adult members of the offender's immediate household who have requested disclosure.

- b) Level II (moderate risk of re-offending)

A fact sheet may be distributed as follows:

- Disclosure may be made to all persons and entities to which disclosure would be made for a Level I offender.
- Discretionary Disclosure - The fact sheet may be provided to the following groups and agencies the offender is likely to encounter public and private educational institutions, day care establishments and groups that primarily serve individuals likely to be victimized by the offender.

c) Level III (high risk of re-offending)

A fact sheet shall be distributed to all persons and entities to which disclosure would be made for a Level I & II offender and to any other members of the community the offender is likely to encounter.

d) Level II and Level III Predatory Offenders Placed in Residential Facilities.

For Level II and Level III Predatory Offenders, discretionary disclosures shall not be made until the head of the facility notifies the Edina Police Department that the offender's placement or residence in the facility is scheduled to end.

e) Implementing Community Notification Plan

- The assigned detective and city Communications Department are responsible for implementing the approved Community Notification Plan.
- A copy of the community notification plan will include date and times of any meetings and list groups or persons to whom the Predatory Offender Information Fact Sheet were distributed.

f) In the event an offender notifies this agency of the intent to move from the jurisdiction or within the jurisdiction, the responding officer shall assist the offender in completing the Predatory Offender Change of Information form (located in the forms cabinet at the front reception area). Once completed, a copy of the form shall be provided to the offender. The remaining copies shall be forwarded to the investigations. The detective shall retain a copy for departmental files and submit the Change of Information Form to the Bureau of Criminal Apprehension.

g) Upon receipt from the Department of Corrections of a reclassification of an offender risk level, the agency should proceed with the development and distribution of a Community Notification Plan as set forth in this policy.

715.06 INFORMATION VERIFICATION

Subd. 1 Police Department Verification of Registered Predatory Offender's Information

- a) The assigned detective shall, on a quarterly basis, verify each offender residing within the community. Additionally, the assigned detective can assign officer(s) to verify and update the information provided by the offender. This information should be verified by personal contact with the offender at their place of residence.

EDINA POLICE OPERATIONS MANUAL

Policy Number
715.00

Subject:
**PREDATORY OFFENDER REGISTRATION AND PUBLIC
NOTIFICATION**

Page 6 of 6

- b) If the officer is unable to make contact after several attempts, the officer will note this on the Information Verification form and return it to the detective.

- c) If contact is made with the Predatory Offender, the officer will document the contact on the Information Verification form indicating who was contacted and the information verified and obtained. The officer will return the form to the detective.